

Friday, October 9, 1998

Daily Digest

HIGHLIGHTS

The House agreed to the conference report accompanying H.R. 3150, Bankruptcy Reform Act.

The House agreed to the conference report on H.R. 3874, William F. Goodling Child Nutrition Act.

The House and Senate passed H.J. Res. 133, making further continuing appropriations for fiscal year 1999

Senate passed Freedom from Religious Persecution Act.

Senate and House passed Further Continuing Appropriations.

Senate

Chamber Action

Routine Proceedings, pages S12091–S12270

Measures Introduced: Twenty one bills and seven resolutions were introduced, as follows: S. 2596–2616, S. Res. 294–298, and S. Con. Res. 127 and 128.

Pages S12163–64

Measures Reported: Reports were made as follows:

Report to accompany S. 2402, previously reported and passed today. (S. Rept. No. 105–383)

Report to accompany S. 2413, previously reported and passed today. (S. Rept. No. 105–384)

Report to accompany S. 2401, previously reported and passed today. (S. Rept. No. 105–385)

Report to accompany S. 991, previously reported. (S. Rept. No. 105–386)

Report to accompany S. 1960, previously reported. (S. Rept. No. 105–387)

Report to accompany S. 2247, previously reported and passed October 7, 1998. (S. Rept. No. 105–388)

Report to accompany S. 2257, previously reported and passed October 7, 1998. (S. Rept. No. 105–389)

Report to accompany S. 2284, previously reported and passed October 7, 1998. (S. Rept. No. 105–390)

Report to accompany S. 2513, previously reported and passed today. (S. Rept. No. 105–391)

Report to accompany H.R. 2411, previously reported and passed October 7, 1998. (S. Rept. No. 105–392)

Report to accompany H.R. 4166, previously reported and passed October 7, 1998. (S. Rept. No. 105–393)

S. 1344, to amend the Foreign Assistance Act of 1961 to target assistance to support the economic and political independence of the countries of South Caucasus and Central Asia, with an amendment in the nature of a substitute. (S. Rept. No. 105–394)

Report to accompany S. 1641, previously reported and passed October 7, 1998. (S. Rept. No. 105–395)

Report to accompany S. 2285, previously reported and passed October 7, 1998. (S. Rept. No. 105–396)

Report to accompany S. 1175, previously reported and passed October 7, 1998. (S. Rept. No. 105–397)

Report to accompany S. 2239, previously reported and passed October 7, 1998. (S. Rept. No. 105–398)

Report to accompany S. 2133, previously reported and passed today. (S. Rept. No. 105–399)

Report to accompany S. 2241, previously reported and passed October 7, 1998. (S. Rept. No. 105–400)

Report to accompany S. 2136, previously reported. (S. Rept. No. 105–401)

Report to accompany S. 2248, previously reported and passed October 7, 1998. (S. Rept. No. 105–402)

S. Res. 257, expressing the sense of the Senate that October 15, 1998, should be designated as “National Inhalant Abuse Awareness Day”.

S. 1771, to amend the Colorado Ute Indian Water Rights Settlement Act to provide for a final settlement of the claims of the Colorado Ute Indian Tribes, with an amendment in the nature of a substitute.

Page S12163

Measures Passed:

Freedom From Religious Persecution Act: By a unanimous vote of 98 yeas (Vote No. 310), Senate

passed H.R. 2431, to express United States foreign policy with respect to, and to strengthen United States advocacy on behalf of, individuals persecuted in foreign countries on account of religion to authorize United States actions in response to violations of religious freedom in foreign countries; and to establish an Ambassador at Large for International Religious Freedom within the Department of State, a Commission on International Religious Freedom, and a Special Adviser on International Religious Freedom within the National Security Council, as amended.

Pages S12091–S12100

Utah Schools and Lands Exchange Act: Senate passed H.R. 3830, to provide for the exchange of certain lands within the State of Utah, clearing the measure for the President.

Pages S12100–01

Water Resources Development Act: Senate passed S. 2131, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto:

Pages S12108–25

Lott (for Chafee) Amendment No. 3803, in the nature of a substitute.

Pages S12108–25

Routt National Forest/Land Exchange: Senate passed H.R. 1021, to provide for a land exchange involving certain National Forest System lands within the Routt National Forest in the State of Colorado, clearing the measure for the President.

Page S12101

Arizona Forest Lands: Senate passed S. 1752, to authorize the Secretary of Agriculture to convey certain administrative sites and use the proceeds for the acquisition of office sites and the acquisition, construction, or improvement of offices and support buildings for the Coconino National Forest, Kaibab National Forest, Prescott National Forest, and Tonto National Forest in the State of Arizona, after agreeing to a committee amendment in the nature of a substitute.

Pages S12101–02

Wellton-Mohawk Irrigation and Drainage District: Senate passed S. 2087, to authorize the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and designated lands within or adjacent to the Gila Project, to the Wellton-Mohawk Irrigation and Drainage District, after agreeing to a committee amendment in the nature of a substitute.

Page S12102

Coalbed Methane Gas/Patent Holders: Senate passed S. 2500, to protect the sanctity of contracts and leases entered into by surface patent holders with respect to coalbed methane gas, after agreeing to a committee amendment.

Page S12102

Land Conveyance: Senate passed S. 2402, to direct the Secretaries of Agriculture and Interior to convey certain lands in San Juan County, New Mexico, to Jan Juan College, after agreeing to a committee amendment in the nature of a substitute.

Pages S12102–03

Apache-Sitgreaves National Forest: Senate passed S. 2413, prohibiting the conveyance of Woodland Lake Park tract in Apache-Sitgreaves National Forest in the State of Arizona unless the conveyance is made to the town of Pinetop-Lakeside or is authorized by Act of Congress, after agreeing to committee amendments.

Page S12103

Morristown National Historical Park: Senate passed S. 2458, to amend the Act entitled “An Act to provide for the creation of the Morristown National Historical Park in the State of New Jersey” to authorize the acquisition of property known as the “Warren Property”.

Pages S12103–04

Route 66/America’s Main Street: Senate passed S. 2133, to preserve the cultural resources of the Route 66 corridor and to authorize the Secretary of the Interior to provide assistance, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto:

Pages S12104–06

Lott (for Chafee) Amendment No. 3800, to make certain clarifying and technical corrections.

Pages S12104–05

Paoli Battlefield Site: Senate passed S. 2401, to authorize the addition of the Paoli Battlefield site in Malvern, Pennsylvania, to Valley Forge National Historical Park, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto:

Page S12106

Lott (for Murkowski) Amendment No. 3801, in the nature of a substitute.

Page S12106

Oregon Federal Lands: Senate passed S. 2513, to transfer administrative jurisdiction over certain Federal land located within or adjacent to Rogue River National Forest and to clarify the authority of the Bureau of Land Management to sell and exchange other Federal land in Oregon, after agreeing to the following amendment proposed thereto:

Pages S12106–08

Lott (for Wyden/Smith) Amendment No. 3802, to direct the Secretary of the Interior to sell certain land at fair market value to Deschutes County, Oregon, and to make technical corrections.

Pages S12106–07

Continuing Appropriations, 1999: Senate passed H.J. Res. 133, making further continuing appropriations for the fiscal year 1999, clearing the measure for the President.

Page S12249

WWII Memorial Funding: Senate agreed to S. Res. 296, expressing the sense of the Senate that, on completion of construction of a World War II Memorial in Area I of the District of Columbia and its environs, Congress should provide funding for the maintenance, security, and custodial and long-term care of the memorial by the National Park Service.

Pages S12249–50

Louisville Festival of Faiths: Committee on the Judiciary was discharged from further consideration of S. Res. 274, to express the sense of the Senate that the Louisville Festival of Faiths should be commended and should serve as model for similar festivals in other communities throughout the United States, and the resolution was then agreed to.

Page S12250

National Children's Day: Senate agreed to S. Res. 260, expressing the sense of the Senate that October 11, 1998, should be designated as "National Children's Day".

Pages S12250–51

National Inhalant Abuse Awareness Day: Senate agreed to S. Res. 257, expressing the sense of the Senate that October 15, 1998, should be designated as "National Inhalant Abuse Awareness Day".

Page S12251

U.S. Diplomatic Relations/Pacific Island Nations: Committee on Foreign Relations was discharged from further consideration of S. Res. 277, expressing the sense of the Senate with respect to the importance of diplomatic relations with the Pacific Island nations, and the resolution was then agreed to.

Page S12251

National Mammography Day: Committee on the Judiciary was discharged from further consideration of S. Res. 271, designating October 16, 1998, as "National Mammography Day", and the resolution was then agreed to.

Pages S12251–52

George Washington Life and Contributions: Senate agreed to S. Con. Res. 83, remembering the life of George Washington and his contributions to the Nation.

Page S12252

Celebrating Young Americans: Senate agreed to S. Res. 278, designating the 30th day of April of 1999, as "Dia de los Ninos: Celebrating Young Americans".

Pages S12252–53

Continuing Appropriations Enrollment Waiver: Senate passed H.J. Res. 131, waiving certain enrollment requirements for the remainder of the One Hundred Fifth Congress with respect to any bill or joint resolution making general or continuing appropriations for fiscal year 1999, clearing the measure for the President.

Page S12253

Authorizing Senate Testimony and Representation: Senate agreed to S. Res. 297, to authorize testimony and representation of former and current Senate employees and representation of Senator Craig in *Student Loan Fund of Idaho, Inc. v. Riley, et al.*

Page S12253

Maryland Financial Assistance: Senate passed H.R. 4337, to authorize the Secretary of the Interior to provide financial assistance to the State of Maryland for a pilot program to develop measures to eradicate or control nutria and restore marshland damaged by nutria, clearing the measure for the President.

Pages S12253–54

California Indian Policy Advisory Council: Senate passed H.R. 3069, to extend the Advisory Council on California Indian Policy to allow the Advisory Council to advise Congress on the implementation of the proposals and recommendations of the Advisory Council, after rejecting the committee amendment.

Page S12254

National Institute of Standards and Technology Authorization: Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 1274, to authorize appropriations for the National Institute of Standards and Technology for fiscal years 1998 and 1999, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Page S12254

Coats (for Frist/Rockefeller) Amendment No. 3810, in the nature of a substitute.

Page S12254

Child Protection and Sexual Predator Punishment Act: Senate passed H.R. 3494, to amend title 18, United States Code, to protect children from sexual abuse and exploitation, after agreeing to the following amendments proposed thereto:

Pages S12257–65

Coats (for Hatch/Leahy/DeWine) Amendment No. 3811, to make certain technical and conforming amendments.

Page S12262

Coats (for Hatch) Amendment No. 3812, to provide for "zero tolerance" for possession of child pornography.

Page S12262

Armored Car Reciprocity Amendments: Senate passed H.R. 624, to amend the Armored Car Industry Reciprocity Act of 1993 to clarify certain requirements and to improve the flow of interstate commerce, clearing the measure for the President.

Page S12265

Pesticide Chemical Substance: Senate passed H.R. 4679, to amend the Federal Food, Drug, and Cosmetic Act to clarify the circumstances in which a substance is considered to be a pesticide chemical for purposes of such Act, clearing the measure for the President.

Pages S12265–66

Mississippi Sioux Tribes Judgment Fund Distribution Act: Senate passed S. 391, to provide for the disposition of certain funds appropriated to pay judgment in favor of the Mississippi Sioux Indians, after agreeing to a committee amendment in the nature of a substitute. **Pages S12266–68**

American Red Cross 50th Anniversary: Committee on the Judiciary was discharged from further consideration of S. Con. Res. 119, recognizing the 50th anniversary of the American Red Cross Blood Services, and the resolution was then agreed to. **Pages S12268–70**

Passage Vitiating: Senate vitiated passage of the following measure:

Water Resources Development Act: S. 2131, to provide for the conservation and development of water and related resources, and to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, as amended. (Passed October 8, 1998) **Page S12108**

Patient Protection Act/Small Business Affordable Health Coverage Act/Health Care Consumer Empowerment Act: By 50 yeas to 47 nays (Vote No. 311), Senate tabled a motion to proceed to consideration of H.R. 4250, to provide new patient protections under group health plans. **Page S12100**

Financial Services Act: Senate resumed consideration of H.R. 10, to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers, with a committee amendment in the nature of a substitute. **Page S12128**

During consideration of this measure today, Senate took the following action:

Pending:

Lott motion to recommit the bill to the Committee on Banking, Housing, and Urban Affairs with instructions to report back forthwith with an amendment, as follows: **Pages S12128–29**

Lott Amendment No. 3804, to allow tax-free expenditures from education individual retirement accounts for elementary and secondary schools expenses and to increase the maximum annual amount of contributions to such accounts. **Pages S12129–30**

Lott Amendment No. 3805 (to the instructions of the motion to recommit), to provide that married couples may file a combined return under which each spouse is taxed using the rates applicable to unmarried individuals. **Pages S12129–30**

Lott Amendment No. 3806 (to Amendment No. 3805), to provide that married couples may file a

combined return under which each spouse is taxed using the rates applicable to unmarried individuals. **Pages S12129–30**

Treasury/Postal Service Appropriations, 1999—Conference Report: Senate began consideration of the conference report on H.R. 4104, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999. **Pages S12130–37**

During consideration of this measure today, Senate took the following action:

By 58 yeas to 39 nays (Vote No. 312), Senate agreed to the motion to proceed to consideration of the conference report. **Pages S12131–32**

Bankruptcy Reform Act—Conference Report: Senate began consideration of the conference report on H.R. 3150, to amend title 11 of the United States Code. **Pages S12137, S12140–48**

During consideration of this measure today, Senate took the following action:

By 94 yeas to 2 nays (Vote No. 313), Senate agreed to the motion to proceed to consideration of the conference report. **Page S12148**

Appointments:

North Atlantic Assembly: The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a–1928d, as amended, appointed the following Senators as members of the Senate Delegation to the North Atlantic Assembly during the Second Session of the 105th Congress, to be held in Edinburgh, United Kingdom, November 9–14, 1998: Senators Hatch, Warner, Grassley, Specter, Hutchinson, Sessions, Smith (of Oregon), Thompson, Bumpers, Mikulski, and Akaka. **Page S12249**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting the semiannual report on Cuban Liberty and Democratic Solidarity (LIBERTAD) Act; referred to the Committee on Foreign Relations. (PM–161). **Pages S12161–62**

Nominations Received: Senate received the following nominations:

Jack J. Spitzer, of Washington, to be an Alternate Representative of the United States of America to the Fifty-second Session of the General Assembly of the United Nations.

Frank J. Guarini, of New Jersey, to be a Representative of the United States of America to the Fifty-second Session of the General Assembly of the United Nations.

James M. Simon, Jr., of Alabama, to be Assistant Director of Central Intelligence for Administration.

Arthur J. Naparstek, of Ohio, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2003.

Page S12270

Messages From the President: Pages S12161–62

Messages From the House: Page S12162

Executive Reports of Committees: Page S12163

Statements on Introduced Bills: Pages S12164–82

Additional Cosponsors: Pages S12182–83

Amendments Submitted: Pages S12188–S12212

Authority for Committees: Page S12212

Additional Statements: Pages S12212–49

Text of S. 2131 as passed today: Pages S12109–25

Record Votes: Four record votes were taken today. (Total—313) Pages S12099, S12100, S12131–32, S12148

Recess: Senate convened at 9:30 a.m., and recessed at 7:50 p.m., until 12 noon, on Saturday, October 10, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S12270.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Energy and Natural Resources: Committee ordered favorably reported the nomination of T. J.

Glauthier, of California, to be Deputy Secretary of Energy.

NOMINATIONS

Committee on Finance: Committee ordered favorably reported the nominations of Patricia T. Montoya, of New Mexico, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services, and David C. Williams, of Maryland, to be Inspector General, Department of the Treasury.

NOMINATIONS

Committee on Governmental Affairs: Committee ordered favorably reported the nominations of Sylvia M. Mathews, of West Virginia, to be Deputy Director of the Office of Management and Budget, David M. Walker, of Georgia, to be Comptroller General of the United States, General Accounting Office, John U. Sepulveda, of New York, to be Deputy Director of the Office of Personnel Management, Joseph Swerdzewski, of Colorado, to be General Counsel of the Federal Labor Relations Authority, Dana Bruce Covington, Sr., of Mississippi, and Edward Jay Gleiman, of Maryland, both to be Commissioners of the Postal Rate Commission, Gregory H. Friedman, of Colorado, to be Inspector General of the Department of Energy, Eljay B. Bowron, of Michigan, to be Inspector General, Department of the Interior, and David C. Williams, of Maryland, to be Inspector General, Department of the Treasury.

House of Representatives

Chamber Action

Bills Introduced: 27 public bills, H.R. 4756–4782; 2 private bills, H.R. 4783–4784; and 4 resolutions, H.J. Res. 133, H. Con. Res. 347, and H. Res. 590–591, were introduced.

Page H10352–53

Reports Filed: Reports were filed today as follows:

Conference report on S. 1260, to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to limit the conduct of securities class actions under State law (H. Rept. 105–803);

Investigation into Iranian Arms Shipments to Bosnia (H. Rept. 105–804);

H. Res. 588, providing for consideration of H.R. 4761, to require the United States Trade Representative to take certain actions in response to the failure

of the European Union to comply with the rulings of the World Trade Organization (H. Rept. 105–805); and

H. Res. 589, waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 105–806).

Pages H10266–70, H10351

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Emerson to act as Speaker pro tempore for today.

Page H10221

Bankruptcy Reform: The House agreed to the conference report accompanying H.R. 3150, to amend title 11 of the United States Code, by a recorded vote of 300 ayes to 125 noes, Roll No. 506.

Pages H10227–40, H10243